

The Honorable Christopher M. Alston

Chapter 13

Hearing Date: January 23, 2025

Hearing Time: 9:30 AM

Hearing Location: Courtroom 7206

Response Due: January 16, 2025

UNITED STATES BANKRUPTCY COURT  
WESTERN DISTRICT OF WASHINGTON AT SEATTLE

IN RE:

Gary Rosenthal

Debtors.

Case No. 24-12397 - CMA

Chapter: 13

**SUPPLEMENTAL DECLARATION  
OF GARY ROSENTHAL IN  
SUPPORT OF DEBTOR'S  
OPPOSITION TO MOTION FOR  
RELIEF FROM AUTOMATIC STAY**

I, Gary Rosenthal, declare as follows:

1. I have personal knowledge of the facts stated in this declaration, and I am competent and willing to testify to the truth theory if called upon to do so.

2. In the last couple of weeks, I became aware of an additional annuity that I inherited from my mother in the amount of \$29,446.97 that was with New York Life Insurance and Annuity Corporation. Yesterday I received the check, and I have attached a copy hereto as Exhibit A.

3. I also received \$12,000 from a prior annuity lump sum inheritance from Lincoln Benefit Life Company that was disclosed on my original Schedule B bankruptcy schedules.

4. Once my bank releases the hold on the funds, which I was told would happen on January 24, 2025 or possibly sooner, I will have the \$34,126.04 (without the chapter 13 plan

SUPPLEMENTAL DECLARATION OF GARY ROSENTHAL - 1

1 payments already paid) that I believe is needed to pay adequate protection to Buda Hill, LLC if  
2 the court directs that remedy.

3 5. Also, as an update, the appraiser has been to my house to complete an appraisal  
4 and I am in phase 2 of the loan application process which I expect to be completed prior to the  
5 hearing date on January 23, 2025.

6  
7 This declaration is made under penalty of perjury under the laws of the State of  
8 Washington this 15th of January 2025.

9 Executed at Shoreline, WA.

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11 Gary Rosenthal  
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9 Executed at Shoreline, WA.

10 Gary Rosenthal  
11 Gary Rosenthal 1/15/25 15:02 PST  
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SUPPLEMENTAL DECLARATION OF GARY ROSENTHAL - 2

# EXHIBIT A






# Supplemental Declaration of Gary Rosenthal ISO RFS Resp

Final Audit Report

2025-01-15

Created:	2025-01-15
By:	Christina Henry (mainline@hdm-legal.com)
Status:	Signed
Transaction ID:	CBJCHBCAABAAXtsZ2564A0Ndr3FRH0INtC7x10qp7Pg

## "Supplemental Declaration of Gary Rosenthal ISO RFS Resp" History

-  Document created by Christina Henry (mainline@hdm-legal.com)  
2025-01-15 - 10:58:56 PM GMT
-  Document emailed to Gary Rosenthal (newtonstein@protonmail.com) for signature  
2025-01-15 - 10:59:00 PM GMT
-  Email viewed by Gary Rosenthal (newtonstein@protonmail.com)  
2025-01-15 - 11:01:46 PM GMT
-  Document e-signed by Gary Rosenthal (newtonstein@protonmail.com)  
Signature Date: 2025-01-15 - 11:02:16 PM GMT - Time Source: server
-  Agreement completed.  
2025-01-15 - 11:02:16 PM GMT



Adobe Acrobat Sign



NEW YORK LIFE INSURANCE AND  
ANNUITY CORPORATION  
BOX 6916  
CLEVELAND OH 44101-6916

EXPLANATION OF BENEFITS  
PLEASE DETACH AND SAVE FOR YOUR RECORD  
0780 CHECK NO: 0011553457

JANUARY 07, 2025

PAYEE: GARY S ROSENTHAL  
OWNER: ETHEL ROSENTHAL  
ANNUITANT: MR SEYMOUR J ROSENTHAL  
POLICY NUMBER: [REDACTED]

TRANSACTION:  
DEATH CLAIM PAYMENT

>000003 6908792 000 001  
GARY S ROSENTHAL  
20228 23RD PLACE NW  
SHORELINE, WA 98177

PLEASE FIND YOUR ENCLOSED CHECK. DETAILS ARE AS FOLLOWS:

TOTAL DEATH BENEFIT AS OF 10/05/2023: \$85,654.78  
PORTION PAYABLE TO BENEFICIARY: \$28,608.69

MISC INT EARNED 10/06/23 - 12/31/23 AT 1.500% \$102.29  
MISC INT EARNED 01/01/24 - 12/31/24 AT 2.500% \$717.18  
MISC INT EARNED 01/01/25 - 01/08/25 AT 3.000% \$18.81

FEDERAL TAX WITHHELD: \$0.00

STATE TAX WITHHELD: \$0.00

AMOUNT OF CHECK: \$29,446.97

\$29,446.97 IS TAXABLE TO THE PAYEE

NOTE - DO NOT USE CHECK AS A MEANS OF CHANGING YOUR ADDRESS.

BE SURE TO LET US KNOW IF WE CAN BE OF FURTHER ASSISTANCE TO YOU.

ANNUITY SERVICE MANAGER

1710CSFI (8/20)



NEW YORK LIFE INSURANCE AND  
ANNUITY CORPORATION  
BOX 6916  
CLEVELAND OH 44101-6916

CHECK NO: 0011553457  
REFERENCE NUMBER: 74910097  
JANUARY 07, 2025

FPR  
V44

50-93  
213

PAY THIS  
AMOUNT

TWENTY-NINE THOUSAND FOUR HUNDRED FORTY-SIX & 97/100 DOLLARS

\$29446.97

PAY TO THE  
ORDER OF

GARY S ROSENTHAL  
20228 23RD PLACE NW  
SHORELINE, WA 98177-2327

JPMorgan Chase Bank, N.A.  
Syracuse, NY

TREASURER



## Notice Of Hold

Customer Name: GARY ROSENTHAL Account Number: XXXX-XXXX-9242

Date of Transaction: 01/14/2025

Date of Notice: 1/14/2025

Amount of Deposit: \$29,446.97

Cashed Check Amount: \_\_\_\_\_

We are delaying the availability of \$29,221.97. These funds will be available as follows:

\$5,300.00 will be available on 01/16/2025  
\$23,921.97 will be available on 01/24/2025

These funds are being held due to:  
Deposited Check > \$5525

Notice given at time of transaction? ☒ Yes ☐ No

*If you did not receive a notice at the time of your transaction and the check(s) subject to this hold is paid, we will refund to you any fees for overdrafts or returned checks that result solely from the additional delay that we are imposing. To obtain a refund of such fees, please contact your branch or account officer.*

Prepared By: Smith, Sarah J Phone: (425) 776-2167

Branch Number: 3323

Customer Copy

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NHOLDCC 05/2019

U.S. Bank  
Customer Confidential